

**REMARKS**

Claims 2-4, 6-8, and 10-12 are pending in this application. Claims 2-4, 6-8, and 10-12 stand rejected. By this Amendment, claims 2, 6, and 10 have been amended. The amendments made to the claims do not alter the scope of these claims, nor have these amendments been made to define over the prior art. Rather, the amendments to the claims have been made to improve the form thereof. In light of the amendments and remarks set forth below, Applicant respectfully submits that each of the pending claims is in immediate condition for allowance.

Claims 2-4, 6-8, and 10-12 stand rejected under 35 U.S.C. § 103(a) as being anticipated by Nozaki. Applicant respectfully submits that the pending claims are not obvious in view of Nozaki. Each of Applicant's independent claims requires calculating or determining a pattern for the inspected pattern for the reference data at the corresponding position by treating the number obtained by dividing said grey level by said grey level step count as the width of the pattern developed in that pixel. At no times does Nozaki determine the pattern width nor would it have been obvious to modify Nozaki to obtain the pattern width.

Applicant respectfully submits that the width of the pattern is not calculated in Nozaki nor would it be obvious to take the data developed in Nozaki to determine the width of the pattern developed in the pixel. In Nozaki, a scaling factor is determined by taking a quotient of the number of gradation levels corresponding to a pattern correction width and dividing that by the number of gradation levels per pixel. In this manner, the edge-to-edge scaling factor for two corresponding edges is determined and the image is enlarged based on this factor.

In contrast, according to the explicitly recited claim limitations, Applicant explicitly claims calculating the width for the inspected pattern and for the reference data and using this overall width to determine the scaling factor. Thus, Applicant

respectfully submits that a more accurate and faster calculation is provided. Thus, Applicant respectfully requests reconsideration and withdrawal of the rejection.

Applicant has responded to all of the rejections and objections recited in the Office Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below.

Dated: April 6, 2006

Respectfully submitted,

By

Ian R. Blum

Registration No.: 42,336

DICKSTEIN SHAPIRO MORIN & OSHINSKY  
LLP

1177 Avenue of the Americas  
New York, New York 10036-2714  
(212) 835-1400  
Attorney for Applicant

IRB/mgs